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ATTORNEYS FOR COUNTERDEFENDANT,
SCHLUMBERGER TECHNOLOGY CORPORATION

E-FILED - 10/18/07

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MEMRY CORPORATION,

Plaintiff,

v.

KENTUCKY OIL TECHNOLOGY, N.V.,
PETER BESSELINK, MEMORY METALS
HOLLAND, B.V.,

Defendants.

CASE No. CV-04-03843 RMW (HRL)

**STIPULATION AND []
ORDER REGARDING DEADLINE FOR
PARTIES TO LODGE HIGHLIGHTED
COPY OF DEPOSITION TRANSCRIPTS**

KENTUCKY OIL TECHNOLOGY, N.V.,

Counterclaimant,

v.

MEMRY CORPORATION and
SCHLUMBERGER TECHNOLOGY
CORPORATION,

Counterclaim Defendants.

NO HEARING REQUESTED

Pretrial Conference: November 1, 2007
Trial: November 19, 2007

THE HONORABLE RONALD M. WHYTE

1 Plaintiff and counter-defendant Memry Corporation (“Memry”), Defendants Kentucky
 2 Oil Technology, N.V., Peter Besselink, Memory Metals Holland, B.V. and counterclaimant
 3 Kentucky Oil Technology, N.V. (collectively “Kentucky Oil”) and counter-defendant
 4 Schlumberger Technology Corporation (“STC”), file this Stipulation and Proposed Order to
 5 extend the time for the parties to lodge each highlighted copy of the deposition transcripts to be
 6 used at trial. The parties completed their initial meet and confer on October 2, 2007 and
 7 discussed scheduling issues related to the pretrial filings.

8 RECITALS

9 1. On May 25, 2007, the Court set the trial of this action for
 10 November 19, 2007 and a Pretrial Conference for November 1, 2007. In accordance with
 11 paragraph B.3. of the Court’s Standing Order re Pretrial Preparation, the parties are instructed to
 12 lodge one copy of the deposition transcripts with pertinent portions of the deposition transcripts
 13 highlighted.

14 2. The parties met and conferred on October 2, 2007. The parties agreed to
 15 exchange highlighted versions of the deposition transcripts and to lodge the final highlighted
 16 copies not less than 10 calendar days before trial.

17 STIPULATION

18 Accordingly, the parties stipulate as follows:

- 19 1. The parties incorporate the recitals set forth above.
 20 2. The parties shall lodge a highlighted copy of each deposition transcript to
 21 be offered at trial not less than 10 calendar days before trial.

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 23 DATED: OCTOBER 12, 2007

Cantor Colburn

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 25 /s/
 William J. Cass
 Attorneys for Memry Corporation

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1 DATED: OCTOBER 12, 2007

Luce Forward Hamilton & Scripps LLP

2 /s/

3 Michael H. Bierman
4 Attorneys for Kentucky Oil Technology, NV
5 Peter Besselink and Memory Metals Holland
6 B.V.

7 DATED: OCTOBER 12, 2007

Foley & Lardner LLP

8 /s/

9 Nancy J. Geenen
10 Attorneys for Schlumberger Technology
11 Corporation.

ORDER

12 IT IS SO ORDERED.

13 DATED: 10/18, 2007

Ronald M. Whyte

14 Ronald M. Whyte
15 Judge, United States District Court
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